

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

THIERRY RUGAMBA, as father and
next friend of Deimetry Sezibara,
a minor,

Plaintiff

v.

INNOCENT RUNGENA and
HENRIETTE NYIARUQUNDO,

Defendants

CAUSE NO. 3:05-CV-375 RM

OPINION AND ORDER

The defendants filed a motion to dismiss on June 8, 2005 before this case was transferred from the Northern District of Illinois. They challenge the complaint on the basis that the plaintiff's attorney was not licensed to practice law in the state of Illinois when he filed the complaint on August 10, 2004. The defendants also note that neither the plaintiff nor his attorney ever signed the complaint—a violation of FED. R. CIV. P. 11. This court entered an order on July 14, 2005 affording the plaintiff ten days to file an amended complaint that complied with Rule 11. Twenty-five days later the plaintiff has filed nothing in response to that order.

Rule 11 requires that every pleading be signed by an attorney or by the party if that party is not represented by counsel. "An unsigned paper shall be stricken unless omission of the signature is corrected promptly after being called

to the attention of the attorney or party.” FED. R. CIV. P. 11(a). Striking a complaint has the practical effect of ending the lawsuit because it is the pleading on which the entire litigation is premised.

Accordingly, the court STRIKES the plaintiff’s improperly filed complaint. The defendants’ motion to dismiss [docket no. 2] is GRANTED, and this case is DISMISSED WITHOUT PREJUDICE.

ENTERED: August 9, 2005

/s/ Robert L. Miller, Jr.
Chief Judge,
United States District Court

cc: T. Rugamba
D. Bagdade
J. Milstone